

**ENTERED**

May 22, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

KACEY NICOLE WAGNER, §  
§  
Plaintiff. §  
§  
V. § NO. 3:22-cv-00257  
§  
§  
NEWREZ, LLC, §  
§  
Defendant. §

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On April 3, 2023, Defendant's Motion to Enforce Settlement and to Dismiss with Prejudice (Dkt. 13) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(B). Dkt. 19. Judge Edison filed a memorandum and recommendation on May 2, 2023, recommending that the motion be granted. Dkt. 22.

No objections have been filed to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) Judge Edison's memorandum and recommendation (Dkt. 22) is approved and adopted in its entirety as the holding of the court; and
- (2) Defendant's Motion to Enforce Settlement and to Dismiss with Prejudice (Dkt. 13) is granted; and

(3) The parties are required to comply with the terms of the document titled Confidential Settlement Agreement and Release. *See* Dkt. 13-6 at 2-9.

Pending motions are denied as moot. Dkt. 15.

Signed on Galveston Island this 22nd day of May 2023

  
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JEFFREY VINCENT BROWN  
UNITED STATES DISTRICT JUDGE